

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Health Innovation
 2 Subcommittee

3 Representative O'Toole offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 408.0362, Florida Statutes, is created
 8 to read:

9 408.0362 Skilled nursing facility in retirement community;
 10 exempt from review.-

11 (1) Upon request by a deed-restricted retirement
 12 community, the construction of a skilled nursing facility
 13 licensed under part II of chapter 400 for the addition of
 14 community skilled nursing home beds located within the
 15 retirement community is exempt from s. 408.036 if:

16 (a) The retirement community is located in a county that
 17 has 25 percent or more of its population consisting of persons
 18 aged 65 and older;

19 (b) The retirement community is located in a county that
 20 has a rate of no more than 16.1 beds per thousand persons aged

Amendment No.

21 65 years or older. The rate shall be determined by using the
22 current number of licensed and approved community skilled
23 nursing home beds in the agency's most recent published
24 inventory;

25 (c) The retirement community is zoned for a mix of
26 residential and nonresidential uses;

27 (d) The residential use area of the retirement community
28 is deed-restricted as housing for older persons as defined in s.
29 760.29; and

30 (e) The retirement community has a population of at least
31 8,000 residents, based on a population data source accepted by
32 the agency.

33 (2) The number of community skilled nursing home beds
34 allowed in a retirement community under the exemption shall be
35 calculated at a rate of 16.1 beds per thousand persons aged 65
36 years and older in the county in which the retirement community
37 is located. To determine whether or not the county in which the
38 retirement community is located is at or above the rate of 16.1
39 beds per 1,000 elderly, the agency must use a prospective county
40 population estimate three years in the future to demonstrate:

41 (a) That the number of persons aged 65 years and older
42 will comprise at least 25 percent of the county's population at
43 the end of the three years. From this result, the current
44 number of licensed community skilled nursing home beds in the
45 agency's published inventory shall be subtracted to determine
46 the net number of additional community skilled nursing home beds
47 that the agency shall grant for development under the exemption;
48 and

Amendment No.

49 (b) That the rate of community skilled nursing home beds
50 in the county will either remain at 16.1 beds per thousand
51 persons aged 65 years or older or will be less after three
52 years, prior to approval of additional community skilled nursing
53 home beds under the exemption.

54 (3) A retirement community that qualifies for the
55 exemption provided in this section shall provide a written
56 request for an exemption in accordance with the applicable
57 rules. In the request, the retirement community shall provide
58 evidence of population, mixed-use status, and the results of the
59 calculation showing the gross and net numbers of community
60 skilled nursing home beds in the county.

61 (4) The number of community skilled nursing home beds that
62 are added pursuant to the exemption shall at no time exceed 240
63 in any qualifying retirement community.

64 (5) Any skilled nursing home facility built pursuant to
65 the exemption shall be certified under both the Medicare and
66 Medicaid programs. All beds in the skilled nursing home
67 facility shall be certified under both the Medicare and Medicaid
68 programs.

69 Section 2. This act shall take effect upon becoming law.
70
71
72

73 -----
74 **T I T L E A M E N D M E N T**

75 Remove everything before the enacting clause and insert:

76 A bill to be entitled

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1159 (2013)

Amendment No.

77 | An act related to skilled nursing facilities; creating s.
78 | 408.0362, F.S.; providing an exemption from certificate-of-need
79 | requirements for construction of a licensed skilled nursing
80 | facility in a retirement community; providing an effective date.
81 |